

ADVISORY OPINION 93-033

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

January 20, 1994

Hon. Stephen G. Horner, Treasurer
Jefferson Democratic Executive Committee
2504 Goldsmith Lane
Louisville, Kentucky 40218-1021

Dear Mr. Horner:

Thank you for contacting the Registry. Please be advised that the letter and spirit of KRS 121.135 requires the Registry to answer specific questions in its Advisory Opinions. Therefore, this Advisory Opinion speaks to the specifics of your letter.

Based on the letter you submitted, the facts to your question can be stated as follows:

You are an official of the Jefferson County Democratic Executive Committee ("Committee"). The Democratic Women's Club of Jefferson County ("Club") is an unincorporated association which contributed \$1,000 to the Committee in calendar year 1993. The Club typically makes its political contributions to the Committee, rather than to individual candidates.

Based on your letter, your question can be stated as follows:

May the Democratic Women's Club of Jefferson County contribute \$1,000 per calendar year to the Jefferson County Democratic Executive Committee?

KRS 121.150(11) prohibits any "person" from contributing more than \$1,000 per calendar year to any local party executive committee in Kentucky. Id. (Emphasis added). The same statute also places an absolute limit of \$2,500 per calendar year as a contribution by any person to a state political party, whether it be a local or statewide division. Id.

KRS Chapter 121 provides no definition for the term "person." However, KRS 446.010(26) defines "person" as "a bod[y] politic." Id. (Emphasis added). The Registry uses KRS 446.010(26) in interpreting KRS 121.150(11). Therefore, absent any other factual details, the contribution made by the Club to the Committee in 1993 was a permissible contribution.

This opinion is based upon the course of action outlined in your letter. If you should have any more questions, please give us a call. Thank you.

Sincerely,

Timothy E. Shull
General Counsel

TES/dt